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Nos. 809-811

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1945

UNITED STATES,

Petitioner,

vs.

ROBERT MORSS LOVETT

UNITED STATES,

Petitioner,

vs.

GOODWIN B. WATSON

UNITED STATES,

Petitioner,

vs.

WILLIAM E. DODD, JR.

MEMORANDUM FOR THE RESPONDENTS

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1945

No. 809

UNITED STATES,

Petitioner,

vs.

ROBERT MORSS LOVETT

No. 810

UNITED STATES,

Petitioner,

vs.

GOODWIN B. WATSON

No. 811

UNITED STATES,

Petitioner,

vs.

WILLIAM E. DODD, JR.

MEMORANDUM FOR THE RESPONDENTS

Respondents do not oppose the granting of writs of certiorari in these cases. The constitutional issues involved are of the highest importance to the Government

of the United States, as stated in the Petition. In addition, they are of the highest importance to the respondents who, by Section 304, were permanently disqualified from gainful Government employment—a legislative punishment equal in its severity to the extreme punishment for conviction upon impeachment permitted by the Constitution (Article I, Section 3, clause 7). A majority of the Court of Claims has now found Section 304 to be unconstitutional. Notwithstanding that fact, the interests on both sides warrant review and final determination by this Court.

We fully agree with the statement in the Petition that a decision on the constitutional issue is necessary to determine these cases. We so argued in the Court of Claims, upon essentially the same bases as those stated by the Solicitor General (pp. 8-15). The cases squarely present the single issue—is Section 304 unconstitutional and void, or is it valid—and upon the determination of that question depends the rights of respondents to judgments for the amount of their unpaid salaries.

Respectfully submitted,

EDWARD B. BURLING,
CHARLES A. HORSKY,
AMY RUTH MAHIN,

March 1946.